

AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P. O. Box 7599
Loveland, Colorado 80537-0599



06-09-04

1634
PATENT APPLICATION

ATTORNEY DOCKET NO. 10010729-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Namyong Kim

Serial No.: 09/900,760

Examiner: Bradley Sisson

Filing Date: July 2, 2001

Group Art Unit: 1634

Title: Methods of Making and Using Substrate Surfaces Having Covalently Bound Polyelectrolyte Films

COMMISSIONER FOR PATENTS

PO Box 1450

Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

(X) Response/Amendment () Petition to extend time to respond
() New fee as calculated below () Supplemental Declaration
(X) No additional fee (Address envelope to "Mail stop Non-Fee Amendments")
() Other: _____ (fee \$ _____)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS		MINUS		= 0	X \$18	\$ 0
INDEP. CLAIMS		MINUS		= 0	X \$86	\$ 0
[] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM				+ \$290		\$ 0
EXTENSION FEE	1ST MONTH \$110.00	2ND MONTH \$420.00	3RD MONTH \$950.00	4TH MONTH \$1480.00		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21.

"Express Mail" label no. EV333997366US

Date of Deposit 06-07-2004

Respectfully submitted,

Namyong Kim

By

Bret Field for Gordon Stewart

Attorney/Agent for Applicant(s)
Reg. No. 37,620

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

By Donna Macedo

Typed Name: Donna Macedo

Date: 06-07-2004



RESPONSE TO RESTRICTION REQUIREMENT	
Address to:	Attorney Docket Confirmation No.
Commissioner for Patents	Namyong Kim
P.O. Box 1450	Application Number
Arlington VA 22313-1450	09/900,760
	Filing Date
	July 2, 2001
	Group Art Unit
	1634
	Examiner Name
	Bradley Sisson
	Title
	Methods of Making and Using Substrate Surfaces Having Covalently Bound Polyelectrolyte Films

Dear Sir:

This communication is responsive to the office communication dated May 6, 2004.

In the above referenced office communication, the Examiner imposed a restriction requirement, requiring the election of the claims of either:

Group I, i.e., Claims 1-16(?);

Group II, i.e., Claims 17-26;

Group III, i.e., Claims 27-32; or

Group IV, i.e., Claims 38-47;

for further prosecution in this application.

The Applicants hereby elect Group II with traverse.

The Applicants also respectfully urge the Examiner to rejoin the claims of the nonelected groups with the elected claims of Group II for examination in this application for the following reasons.

The MPEP allows an Examiner to examine otherwise patentably distinct sets of claims if to do so would not impose an undue burden on the Examiner. M.P.E.P. § 8.03 states that:

If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

In the present case, the claims of the non-elected groups include elements found in the claims of Group II. As such, the search for the claims of Group II will find any relevant prior art relating to the claims of the nonelected groups.

Accordingly, little, if any, additional searching should be required for the claims of the nonelected groups, and therefore the examination of the claims of the nonelected groups together with the claims of elected Group II should impose little, if any, additional burden on the Examiner.

As such, examining the claims of the nonelected groups and the claims of elected Group II together in the present application clearly does not impose an undue or serious burden on the Examiner. In the absence of such an undue or serious burden, the Examiner is clearly instructed by the MPEP to examine the entire application. Therefore, the Examiner is respectfully requested to rejoin the claims of the nonelected groups with the claims of elected Group II and to examine all the claims together in the present application.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-1078.

Respectfully submitted,

BOZICEVIC, FIELD & FRANCIS LLP

Date: 6.7.04

By: 

Bret E. Field
Registration No. 37,620